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15 GEN-PROBE, INCORPORATED

16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA

18 GEN-PROBE INCORPORATED,
19
20 Plaintiff,
21
22 v.
23
24 VYSIS, INC.,
25
26 Defendant.

No. 99CV2668H AJB

**REPLY NOTICE OF LODGMENT IN SUPPORT OF
PLAINTIFF GEN-PROBE INCORPORATED'S
MOTION FOR PARTIAL SUMMARY JUDGMENT
OF NON-INFRINGEMENT UNDER THE DOCTRINE
OF EQUIVALENTS**

DATE: November 19, 2001
TIME: 10:30 a.m.
DEPT.: Courtroom 1

HONORABLE MARILYN L. HUFF

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

PLEASE TAKE NOTICE that Plaintiff Gen-Probe Incorporated hereby lodges the following exhibits in support of its Reply Motion for Partial Summary Judgment of Non-infringement Under the Doctrine of Equivalents:

Exhibit 1: A true and correct copy of the excerpts of the not yet certified transcript of the deposition of Dr. David Persing, taken November 12, 2001.

Exhibit 2: A true and correct copy of an excerpt from D. Persing, M. Landry, "*In Vitro* Amplification Techniques for the Detection of Nucleic Acids: New Tools for the Diagnostic

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Laboratory," Yale J. Biology and Medicine 62: 159, 162 (1989).

Exhibit 3: A true and correct copy of an excerpt from D. Persing, "In Vitro Nucleic Acid Amplification Techniques," Diagnostic Molecular Microbiology, at 58 (Persing et al., eds. 1993)

Exhibit 4: A true and correct copy of an excerpt from T. White, R. Mandej, D. Persing, "The Polymerase Chain Reaction: Clinical Applications," Advances in Clinical Chemistry 29: 161, 164 (1992).

Exhibit 5: A true and correct copy of an excerpt from Y. Tang, G. Procop, and D. Persing, "Molecular Diagnostics of Infectious Diseases," Clinical Chemistry 43: 11: 2021, 2028 (1997).

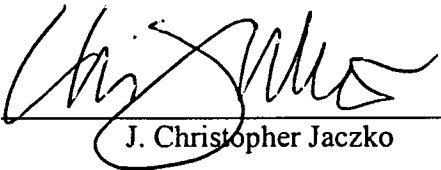
Exhibit 6: True and correct copies of the certified transcript of the deposition of Donald Neil Halbert, Ph.D., taken April 19, 2001.

Exhibit 7: A true and correct copy of excerpts of the transcript of the deposition of Jonathon M. Lawrie, Ph.D., taken February 15, 2001.

Dated: November 13, 2001

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R. WILLIAM BOWEN, JR.
GEN-PROBE, INC.

By: 
J. Christopher Jaczko

Attorneys for Plaintiff
GEN-PROBE INCORPORATED